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REMARKS

Claims 1-18 were considered by the Examiner. Claims 1-18 stand rejected by the Examiner. An examiner interview was conducted by telephone on July 24, 2006 in which the Examiner expressed the view that it was not clear that the electrical cord and spring cord limitations were two separate cords (physically distinct cords).

In this response, claims 8 and 15 have been cancelled. Claims 1, 2, 4, 9, and 16, and 18 have been amended. Therefore, claims 1-7, 9-14, and 16-18 are pending.

Objections under 37 CFR 1.83(a)

Claims 8 and 15 have been cancelled. The drawings now show every feature of the invention specified in the claims. Applicant therefore requests the withdrawal of the objections under 37 CFR 1.83(a).

Rejections under 35 U.S.C. 112

Claims 2 and 9 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2 and 9 have been amended to delete the language "the coils of" so that there is sufficient antecedent basis for all limitations. Applicant therefore requests the withdrawal of the rejections under 35 USC 112, second paragraph.

Rejections under 35 U.S.C. Sec. 103**Claims 1-7, 9-14, and 16-18**

Claims 1-7, 9-14, and 16-18 are rejected under 35 U.S.C. 103 as being unpatentable over Poutiatine (US 2002/0023814) in view of Smith (US 2002/0181729).

Claim 1 as amended reads as follows:

1. (currently amended) A communications headset comprising:
an earbud with a speaker to be disposed near the ear of a headset user;
a microphone;
an electrical connector designed to couple with a communications device;
an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector; and
a spring cord physically distinct from the electrical cord with a first end coupled to the earbud and a second end coupled to the microphone, wherein the microphone is capable of bi-directional movement with associated extension and retraction of the spring cord.

Claim 1 as amended teaches a headset comprising an electrical cord with a first end coupled to an earbud and a second end coupled to an electrical connector. Claim 1 further teaches a spring cord *physically distinct from the electrical cord* with a first end coupled to the earbud and a second end coupled to a microphone. The microphone is capable of bi-directional movement with associated extension and retraction of the spring cord.

Poutiatine in view of Smith does not teach both an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector and a spring cord *physically distinct from the electrical cord* with a first end coupled to the earbud and a second end coupled to the microphone. Rather, Smith teaches a single acoustic tubing 14 with a coiled portion 16 coupled between a speaker 10 and a receptacle 3. (Smith FIG. 2 and paragraph 20) Poutiatine

teaches a single cable 12 coupled between an earphone 31 and a microphone 33. (Poutiatine FIG. 1).

Thus, at least for the foregoing reasons, applicant respectfully submits that Poutiatine in view of Smith does not teach or suggest all the claimed elements of claim 1.

Claims 2-7

Claims 2-7 are dependent on claim 1. Therefore, it is respectfully submitted that claims 2-7 are patentable over Poutiatine in view of Smith at least for the reasons stated above with respect to the patentability of claim 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 2-7.

Claim 9 as amended reads as follows:

9. (amended) A communications headset comprising:
an earbud with a speaker to be disposed near the ear of a headset user;
a microphone;
an electrical connector designed to couple with a communications device;
an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector; and
a spring cord physically distinct from the electrical cord with a first end coupled to the earbud and a second end coupled to the microphone, wherein the electrical cord is disposed within the spring cord and the relative position of the microphone along the electrical cord defines a plurality of microphone positions comprising:
a storage position associated with the spring cord in a retracted status;
a first use position for hands free operation whereby the spring cord is in a first extended position due to the weight of the microphone; and
a second use position for improved signal to noise ratio whereby the spring cord is in a second extended position due to user applied force.

Claim 9 as amended teaches a headset comprising an electrical cord with a first end coupled to an earbud and a second end coupled to an electrical connector. Claim 9 further teaches a spring cord *physically distinct from the electrical cord* with a first end coupled to the

earbud and a second end coupled to a microphone. The microphone is capable of bi-directional movement with associated extension and retraction of the spring cord.

Poutiatine in view of Smith does not teach both an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector and a spring cord *physically distinct from the electrical cord* with a first end coupled to the earbud and a second end coupled to the microphone. Rather, Smith teaches a single acoustic tubing 14 with a coiled portion 16 coupled between a speaker 10 and a receptacle 3. (Smith FIG. 2 and paragraph 20) Poutiatine teaches a single cable 12 coupled between an earphone 31 and a microphone 33. (Poutiatine FIG. 1).

Thus, at least for the foregoing reasons, applicant respectfully submits that Poutiatine in view of Smith does not teach or suggest all the claimed elements of claim 9.

Claims 10-14

Claims 10-14 are dependent on claim 9. Therefore, it is respectfully submitted that claims 10-14 are patentable over Poutiatine in view of Smith at least for the reasons stated above with respect to the patentability of claim 9. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 10-14.

Claim 16 as amended reads as follows:

16. (currently amended) A communications headset comprising:
a speaker means for outputting receive voice signals from a far end user;
a microphone means for detecting transmit voice signals from a headset user;
a connector means for coupling the headset to a communications device;
a cord means with a first end coupled to the speaker means and a second end coupled to the connector means; and
a spring means *physically distinct from the cord means* with a first end coupled to the speaker means and a second end coupled to the microphone means, wherein the microphone is capable of bi-directional movement with associated extension and retraction of the spring means.

Claim 16 as amended teaches a headset comprising a cord means with a first end coupled to a speaker means and a second end coupled to a connector means. Claim 16 further teaches a spring means *physically distinct from the cord means* with a first end coupled to the speaker means and a second end coupled to the microphone means. The microphone is capable of bi-directional movement with associated extension and retraction of the spring means.

Poutiatine in view of Smith does not teach both a cord means with a first end coupled to a speaker means and a second end coupled to a connector means and a spring means *physically distinct from the electrical cord* with a first end coupled to the speaker means and a second end coupled to a microphone means. Rather, Smith teaches a single acoustic tubing 14 with a coiled portion 16 coupled between a speaker 10 and a receptacle 3. (Smith FIG. 2 and paragraph 20) Poutiatine teaches a single cable 12 coupled between an earphone 31 and a microphone 33. (Poutiatine FIG. 1).

Thus, at least for the foregoing reasons, applicant respectfully submits that Poutiatine in view of Smith does not teach or suggest all the claimed elements of claim 16.

Claim 17

Claim 17 is dependent on claim 16. Therefore, it is respectfully submitted that claim 17 is patentable over Poutiatine in view of Smith at least for the reasons stated above with respect to the patentability of claim 16. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 17.

Claim 18 as amended reads as follows:

18. (currently amended) A method for improving signal to noise ratio in a communications headset comprising:

providing an earbud, a microphone, a connector, an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector, and a spring cord *physically distinct from the electrical cord* with a first end coupled to the earbud and a second end coupled to the microphone, wherein the electrical cord is disposed in the spring cord; positioning the microphone along the electrical cord away from the earbud with a user applied force, wherein signal to noise ratio is improved; and automatically retracting the microphone along the electrical cord towards the earbud upon termination of the user applied force, wherein the spring cord provides the retraction force to position the microphone for hands free operation.

Claim 18 as amended teaches a method for improving signal to noise ratio in a communications headset. The method includes providing an electrical cord with a first end coupled to an earbud and a second end coupled to an electrical connector, and providing a spring cord physically distinct from the electrical cord with a first end coupled to the earbud and a second end coupled to a microphone. The microphone is positioned along the electrical cord away from the earbud with a user applied force.

Poutiatine in view of Smith does not teach both an electrical cord with a first end coupled to the earbud and a second end coupled to the electrical connector and a spring cord physically distinct from the electrical cord with a first end coupled to the earbud and a second end coupled to the microphone. Furthermore, Poutiatine in view of Smith does not teach positioning the microphone along the electrical cord away from the earbud with a user applied force. Rather, Smith teaches a single acoustic tubing 14 with a coiled portion 16 coupled between a speaker 10 and a receptacle 3. (Smith FIG. 2 and paragraph 20) Poutiatine teaches a single cable 12 coupled between an earphone 31 and a microphone 33. (Poutiatine FIG. 1).

Thus, at least for the foregoing reasons, applicant respectfully submits that Poutiatine in view of Smith does not teach or suggest all the claimed elements of claim 18.

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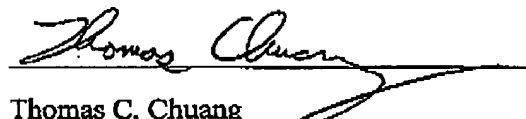
CONCLUSION

In view of the above amendments and remarks, allowance of the pending claims is respectfully requested.

Respectfully submitted,

Dated: July 28, 2006

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